

Augusta County Schools  
540-245-5158

-----Original Message-----

From: SelectiveTeam [mailto:SelectiveTeam@sl.universalservice.org]  
Sent: Wednesday, May 18, 2005 3:22 PM  
To: gary bryant@15402482230  
Cc: Gary Bryant  
Subject: Erate Application #468711 \*\*\*Augusta County School District  
  
Date: 5/18/05

Dear, Gary Bryant

AUGUSTA COUNTY SCHOOL DISTRICT

540-245-5138

Application Number - 468711

The my group isProgram Integrity Assurance (PIA) team is in the process of reviewing all Form 471 Applications for schools and libraries discounts to ensure that they are in compliance with the rules of the federal universal service program. We are currently in the process of reviewing your Funding Year 2005 Form 471 Application., and in order t To complete our review, we need some additional information. The information needed to complete thePIA review is listed below.

For FRN(s) 1329089 & 1329308, the documentation provided in the Item 21 Attachments does not support the amount you are requesting. The rules of this support mechanism require that the funding request must be supported in order to determine the eligibility of your request. Please provide itemized vendor documents to support the amount requested on your Form 471.

Any documentation provided should clearly identify any ineligible charges that were cost allocated out of your request. If you are requesting additional dollars to accommodate expected growth or increased usage, please indicate how you estimated the amount requested on the Form 471. Please provide any relevant documentation that was used to determine the charges included in this request

If you are unable to justify the charges requested on your Form 471, the

request may be reduced or denied.

For FRN 1329089, the Contract Award Date (1/31/01) for the services requested is before the Allowable Contract Date (12/14/04) of the cited Form 470.

For FRN 1329308, the Contract Award Date (2/21/03) for the services requested is before the Allowable Contract Date (12/14/04) of the cited Form 470.

The rules of this support mechanism require that the CAD be after the ACD.

Please answer the following question, and provide the requested documentation as indicated:

Please provide a copy of the full contract, signed and dated by both parties, to verify the correct CAD, and also verify if the referenced Form 470 is the establishing Form 470 for the services to the entity on this Form

471. If the referenced Form 470 is NOT the establishing Form 470, please provide the 15-digit Form 470 Number that did establish the bidding for the

FRN. The establishing Form 470 is the specific Form 470, which was posted

for that particular service for 28 days, and pursuant to which a contract

was signed or an agreement was entered into. For a request in the Basic Maintenance service category, it is possible that the establishing 470 was

filed under an Internal Connections service category. The establishing 470

could have been posted by the State, if the requested services are being purchased off of a State Master Contract. If the contract is a State

Master Contract, you do not have to submit a copy of the signed contract if that

contract is available online or has already been submitted to PIA.

Please

provide us with the contract name and number of the State Master Contract.

If you have already submitted the relevant contract information in connection with another review, please provide the application number involved so that we can locate the documentation in our files.

Please send a signed copy of the contracts

- 4 -  
Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested so we can complete our review. Failure to do so may result in a reduction or denial of funding.

Should you wish to cancel this application, or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.

Thank you for cooperation and continued support of the Universal Service Program.

Sincerely,

Jesse Johnson

Schools and Libraries Division

Program Integrity Assurance

Phone: 973-884-8379

FAX: 973-599-6576

[jjohnso@sl.universalservice.org](mailto:jjohnso@sl.universalservice.org)

Augusta County Schools  
FACSIMILE COVER SHEET

To: Jesse Johnson  
Company: E-Rate  
Phone:  
Fax: 973-599-6576

From: Paul Mirsman  
Phone: (540) 245-5139  
Fax: (540) 248-2230

Date: 5/20/05  
Pages including this Cover Page: 2

Comments:

Jesse,

Attached is the signature page from the Ntelco contract. As you can see, it is a 5 year contract. The actual sig date is 1/31/03, versus 1/31/01 as per your email. However the award date sequence is the same. I've called Verizon, and will get that page to you as soon as possible.

EXHIBIT

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## Dedicated Internet Service Agreement

1154 Shenandoah Village Drive, Waynesboro, VA 22791



Store/Market:	Salesperson ID: 10157	Contract Number:
Account Number:	Approval:	
User Information and Service Address		
Customer Name: <u>Augusta County Public Schools</u> <small>First MI Last</small>	Company Name: <u>Augusta County Public Schools</u> <small>For Business Accounts Only</small>	
Physical Address: <u>69 James Anderson Rd.</u> <small>Cannot be PO Box. Must be physical Address</small>	City, State, Zip: <u>Fishersville, Va. 22939</u>	
County:	City, Town or County of Primary Usage: <u>6 John Lewis Rd.</u>	
Business Address: <u>Fishersville, Va. 22939</u> <small>Only if different from Physical Address</small>	City, State, Zip: <u>Fishersville, Va. 22939</u>	
Home No.: <small>(if applicable)</small>	Daytime No.: <u>245-5142</u> <small>(required)</small>	
Internet User Name and Password (if applicable)		Payment Method
Desired User Name:	Up to 8 characters in length, no capital letters	Visa: _____ Discover: _____
Password:	Up to 8 characters in length, no capital letters	Master Card: _____ AMEX: _____
Service Rate Plan		Card No.: _____
Rate Plan Name: <u>10 Meg Internet</u>		EXP Date: _____
Service Rate \$: <u>\$ 2,500.00</u>		Bank Draft (Please include voided check)
Length: Monthly _____ 1 Year _____		Routing Number: _____ <small>(9 digits)</small>
2 Year _____ 3 Year _____		Bank Number: _____
5 Year <u>X</u>		Bill To Account: _____
Early Termination Fee: <u>Customer Initials</u>		Purchase Order No.: _____
Customer agrees to remain a subscriber of NTELOS service on the above referenced plan (or higher) for the above referenced period from the date hereof. In partial consideration for customer's commitment, NTELOS agrees to discount and/or furnish the customer with the above referenced promotion. If prior to the end of the commitment period, customer terminates service for any reason or is disconnected for cause, customer agrees to pay NTELOS the difference between the contracted rate and the month to month rate multiplied by the number of months service was received.		Tax Exempt: Yes _____ No _____
Customer E-mail Addresses (customer owned domain may be used instead of @ntelos.net)		Tax ID: _____
Real Name: _____	@ntelos.net	
E-Mail User: (up to 21 characters in length, no capital letters)	Password: _____	
User Name: _____		
Real Name: _____	@ntelos.net	
E-Mail User: (up to 21 characters in length, no capital letters)	Password: _____	
User Name: _____		
Real Name: _____	@ntelos.net	
E-Mail User: (up to 21 characters in length, no capital letters)	Password: _____	
User Name: _____		
Notes / Special Situations / Promotions (use separate sheet for additional Notes and Special Situations if needed)		
Rate Adaptive ethernet: Customer will be charged for average throughput used 90% of billing cycle, with a 10 megabit minimum (rate floor). Maximum throughput is double the rate of the floor		
Financial Responsibility		
Signature: Terms and Conditions: My signature hereunder acknowledges that I have read and understand the terms and conditions stated above and on the back and that I have agreed to those terms. I authorize any person or consumer reporting agency to comp.		
<u>Mike Baker</u>	<u>11/31/03</u>	<u>1/31/03</u>
Sales Representative's Signature	Date	Date
Mike Baker	10157	John W. Trissel, Jr.
Sales Representative's Name (Print)		Responsible Party's Name (Print)
(Signing indicates that Representative has verified customer ID via current picture ID)		
Sales Person: Forward a copy of this form, when completed, to NTELOS Sales Engineering for processing Provide a signed copy of all pages of this contract to the customer		

Augusta County Schools  
**FACSIMILE COVER SHEET**

**To:** Jesse Johnson  
**Company:** E-Rate  
**Phone:**  
**Fax:** 973-599-8576

**From:** Paul Missman  
**Phone:** (540) 245-5139  
**Fax:** (540) 248-2230

**Date:** 5/20/05  
**Pages including this Cover Page:**

**Comments:**

Jesse,

Here is the signature page from  
the Verizon contract.

Paul



# SERVICE AGREEMENT

(Intrastate ICB)

Customer Name	Augusta County Schools ("Customer")	Main Billing Tel. No:	540-245-5142
and address:	69 James Anderson Rd., Fishersville, Va., 22939	ICB Case No.	2003-238691

**Services.** Customer hereby requests and agrees to purchase from the undersigned Verizon company ("Verizon") the services identified in Exhibits A, B, & C attached to this Agreement, and as further described in Verizon's applicable tariffs, (the "Services") for the service period stated in the attached Exhibit applicable to such Service (the "Service Period"), subject to Verizon's receipt of any necessary regulatory and other governmental approvals required to provide the Services under the terms hereof. The Services will be provided under the terms of this Agreement to the Customer locations specified in the attached Exhibit(s).

**Charges.** Customer will pay the rates and charges set forth in the attached Exhibit(s) and shall also pay all applicable taxes, fees, and charges, including Federal End User Common Line Charges, charged pursuant to applicable law, regulations, or tariffs in connection with the Services. If Customer cancels or terminates this Agreement or any Services prior to expiration of the Service Period, Customer will promptly pay to Verizon termination charges as set forth in the applicable Exhibit(s). Any tariffed back billing limitations otherwise applicable to the Services shall not apply under this Agreement.

**Notices.** Notices under this Agreement shall be sent by first-class U.S. mail, postage prepaid, to Customer at the address specified above, and to Verizon at Verizon National Contracts Repository, MC:HQW02L25, 700 Hidden Ridge, Irving, TX, 75038, with a copy to Regional Sales Mgr., 600 East Main Street, 6<sup>th</sup> fl., Richmond, Virginia, 23219. Notices shall be deemed effective five business days after such mailing.

**Miscellaneous.** (a) Neither party will disclose the terms of this Agreement to any other person without the prior written consent of the other party, except as may be necessary to comply with applicable law, regulation, or filing requirements.

(b) In the event of a claim or dispute, the law and regulations of the jurisdiction in which Verizon provides to Customer the particular Service that is the subject of such claim or dispute shall apply. This Agreement and its provisions shall not be construed or interpreted for or against any party hereto because that party drafted or caused that party's legal representative to draft any of its provisions.

(c) No liability shall result from Service failures caused by fires, floods, severe weather, acts of government or third parties, strikes, labor disputes, inability to obtain necessary equipment or services, or other causes beyond such party's reasonable control.

(d) If any provision of this Agreement or the provision of any Service under the terms hereof is illegal, invalid, or otherwise prohibited under applicable law or regulation in any State or jurisdiction, or does not receive any governmental or regulatory approval required by law in any State or jurisdiction, then this Agreement shall be construed as if not containing such provision or requiring the provision of such invalid, illegal, prohibited, or unapproved Service in such State or jurisdiction.

(e) Verizon may assign or transfer part or all of this Agreement to any affiliate or successor to substantially all of its assets in the locations where Service is provided hereunder. Upon reasonable prior written notice to Verizon, Customer may assign or transfer this Agreement to any company that is the successor to substantially all of its assets, provided all charges for Services provided prior to such transfer or assignment are paid in full when due. Except as otherwise required by applicable law or regulation, all other attempted assignments shall be void without the prior written consent of the other party.

(f) Except as otherwise required by applicable law or regulation, the Services provided hereunder may not be resold by Customer.

**Tariffs and Limitation of Liability.** The terms and conditions that shall apply in connection with these Services, and the rights and liabilities of the parties, shall be as set forth herein and in all applicable tariffs now or hereafter filed with the applicable state regulatory commission and/or the Federal Communications Commission. In no event shall Verizon be liable for any special, indirect, incidental, or consequential damages arising in connection with this Agreement or the provision of any Services, whether claim is sought in contract, tort (including negligence), strict liability or otherwise. This Agreement (including the Exhibits attached hereto) and all applicable tariffs constitute the entire agreement between the parties and shall supersede all prior oral or written quotations, communications, negotiations, representations, understandings or agreements made by or to any employee, officer, or agent of any party on the subject matter hereof. This Agreement may not be modified or rescinded except by a writing signed by authorized representatives of each party.

AGREED AND ACCEPTED:

THE SCHOOL BOARD OF AUGUSTA COUNTY, VIRGINIA

By John W. Trissel, Jr.  
Name/title John W. Trissel, Jr. Tech Serv  
Date 2/21/03

VERIZON VIRGINIA, INC.

By Gyntha L. Curley  
Name/title Gyntha L. Curley KSM  
Date 2/25/2003





**Universal Service Administrative Company**  
Schools & Libraries Division

**FUNDING COMMITMENT DECISION LETTER**  
(Funding Year 2005: 07/01/2005 - 06/30/2006)

July 7, 2005

Gary R. Bryant  
AUGUSTA COUNTY SCHOOL DISTRICT  
69 JAMES ANDERSON ROAD  
FISHERSVILLE, VA 22939

Re: Form 471 Application Number: 468711  
Funding Year 2005: 07/01/2005 - 06/30/2006  
Billed Entity Number: 126479  
Billed Entity FCC RN: 11825171  
Applicant's Form Identifier: 021405

Thank you for your Funding Year 2005 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$171,644.98 is "Denied."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

**NEXT STEPS**

- Work with your service provider to determine if you will receive discounted bills or if you will request reimbursement from USAC after paying your bills in full
- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service provider) or Form 472 (Billed Entity) - as products and services are being delivered and billed

**FUNDING COMMITMENT REPORT**

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

**TO APPEAL THIS DECISION:**

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:
  - Appellant name,
  - Applicant name and service provider name, if different from appellant,

**EXHIBIT**

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- Applicant BEN and service provider SPIN,
  - Form 471 Application Number as assigned by the SLD,
  - "Funding Commitment Decision Letter for Funding Year 2005," AND
  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
  4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
  5. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal  
 Schools and Libraries Division  
 Box 125 - Correspondence Unit  
 80 South Jefferson Road  
 Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use either the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that the Universal Service Administrative Company (USAC) and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
 Universal Service Administrative Company

## A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

**FORM 471 APPLICATION NUMBER:** The unique identifier assigned to a Form 471 application by the SLD.

**FUNDING REQUEST NUMBER (FRN):** A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

**FUNDING STATUS:** Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connections requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

**CATEGORY OF SERVICE:** The type of service ordered from the service provider, as shown on your Form 471.

**FORM 470 APPLICATION NUMBER:** The Form 470 Application Number associated with this FRN from Block 5, Item 12 of the Form 471.

**SPIN (Service Provider Identification Number):** A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

**SERVICE PROVIDER NAME:** The legal name of the service provider.

**CONTRACT NUMBER:** The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

**BILLING ACCOUNT NUMBER:** The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

**SERVICE START DATE:** The Service Start Date for this FRN from Block 5, Item 19 of your Form 471.

**CONTRACT EXPIRATION DATE:** The Contract Expiration Date for this FRN from Block 5, Item 20b of your Form 471. This will be present only if a contract expiration date was provided on your Form 471.

**SITE IDENTIFIER:** The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

**NUMBER OF MONTHS RECURRING SERVICE PROVIDED IN FUNDING YEAR:** The number of months of service that has been approved in the funding year. This will be present only for recurring services.

**ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES:** Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES: Annual eligible non-recurring charges approved for the funding year.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: The discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry provides an explanation of the amount in the "Funding Commitment Decision."

FCDL DATE: The date of this Funding Commitment Decision Letter (FCDL).

WAVE NUMBER: The wave number assigned to FCDLs issued on this date.

FUNDING COMMITMENT REPORT  
Billed Entity Name: AUGUSTA COUNTY SCHOOL DISTRICT  
BEN: 126479  
Funding Year: 2005

Form 471 Application Number: 468711  
Funding Request Number: 1329089  
Funding Status: Not Funded  
Category of Service: Internet Access  
Form 470 Application Number: 144940000  
SPIN: 143001406  
Service Provider Name: NTELOS Telephone Inc.  
Contract Number: N/A  
Billing Account Number: 540-245-5169  
Service Start Date: 07/01/2005  
Contract Expiration Date: 06/03/2006  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$116,754.96  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$116,754.96  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.

FCDL Date: 07/07/2005  
Wave Number: 002

Funding Request Number: 1329308  
Funding Status: Not Funded  
Category of Service: Internet Access  
Form 470 Application Number: 144940000  
SPIN: 143001422  
Service Provider Name: Verizon Virginia Inc.  
Contract Number: N/A  
Billing Account Number: 540-245-5169  
Service Start Date: 07/01/2005  
Contract Expiration Date: 06/30/2007  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$169,320.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$169,320.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.

FCDL Date: 07/07/2005  
Wave Number: 002

## IMPORTANT REMINDERS & DEADLINES

Billed Entity Number : 126479

Name of Billed Entity: AUGUSTA COUNTY SCHOOL DISTRICT

The following information is provided to assist you throughout the application process. We recommend that you keep it in an easily accessible location and that you share it with the appropriate members of your organization.

FCC REGISTRATION NUMBERS (FCC RNs) - Effective November 1, 2004, the FCC's Fifth Order (FCC 04-190 released August 13, 2004) requires E-rate program participants to have FCC Registration Numbers. Please continue to review our web site for additional guidance.

FORM 486 DEADLINE - The Form 486 must be postmarked no later than 120 days after the Service Start Date you report on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If you are required to have a Technology Plan, that plan must cover all 12 months of the funding year. You must indicate the name of the SLD-Certified Technology Plan Approver (TPA) prior to the commencement of discounted services for this funding year. You must indicate the name of the SLD-Certified TPA who approved your plan in your Form 486, and you must retain your approval letter and documentation of your monitoring of the progress toward your stated goals.

CHILDREN'S INTERNET PROTECTION ACT (CIPA) - Please review the CIPA guidance in the Form 486 Instructions, Section II, "IMPACT OF CIPA REQUIREMENTS ON FORM 486."

INVOICE DEADLINE - Invoices must be postmarked no later than 120 days after the last date to receive service - including extensions - or 120 days after the date of the Form 486 Notification Letter, whichever is later. Invoices should not be submitted until the invoiced products and services are being delivered and billed, and (for BEAR Forms) the provider has been paid.

OBLIGATION TO PAY NON-DISCOUNT PORTION - Applicants are required to pay the non-discount portion of the cost of the products and/or services. Service providers are required to bill applicants for the non-discount portion. The FCC has stated that requiring applicants to pay their share ensures efficiency and accountability in the program. FCC 04-190 concluded that a presumptively reasonable timeframe for a beneficiary to pay its non-discount share is 90 days after the completion of services. If you are using a trade-in as part of your non-discount portion, please refer to the web site for more information.

DOCUMENTATION RETENTION - FCC rules require that documents demonstrating compliance with the statute and Commission rules must be retained for a period of at least five years after the last day of service delivered. See "Document Retention Requirements" in FCC 04-190 for a descriptive list of many of the documents you must retain.

SUSPENSION AND DEBARMENT - Persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the Schools and Libraries Support Mechanism are subject to suspension and debarment from the program.

FREE SERVICES ADVISORY - Applicants and service providers are prohibited from using the Schools and Libraries Support Mechanism to subsidize the procurement of ineligible or unrequested products and services, or from participating in arrangements that have the effect of providing a discount level to applicants greater than that to which applicants are entitled.

Complete program information - including more information on these reminders - is posted to the SLD section of the USAC web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). You may also contact the SLD Client Service Bureau by e-mail using the "Submit a Question" link on the web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.

From:

Gary R. Bryant  
Augusta County School District  
69 James Anderson Road  
Fishersville, Va. 22939  
540-245-5138  
FAX: 540-248-2230

To:

USAC  
Schools and Libraries Division  
FAX: 973-599-6542

Date: 12 July 2005

#### APPEAL LETTER

According to your letter of 7 July 2005, funding requests for both service providers have been rejected for web site posting date violations. What we must explain to you, once again, as we have done every year for the past several, is that these are multi-year contracts. The Verizon contract was signed 02/21/2003, and the Ntelos contract was signed 01/31/2003. We use multi-year contracts, because it is less expensive to procure these services using multi-year agreements than it would be on a year-to-year basis. The SLD forms do not have a way to indicate multi-year agreements, and therefore, we constantly have to explain this to SLD, both at application time and for reimbursement. Is there any way that the forms could be modified in the future to allow for multi-year agreements?

Provided with this FAX are the signature pages for both contracts, in support of our appeal, along with the pertinent page from the SLD funding rejection letter.

Thanks for your attention to this matter,

*Gary R. Bryant*



FUNDING COMMITMENT REPORT  
Billed Entity Name: AUGUSTA COUNTY SCHOOL DISTRICT  
BEN: 126479  
Funding Year: 2005

Form 471 Application Number: 468711  
Funding Request Number: 1329089  
Funding Status: Not Funded  
Category of Service: Internet Access  
Form 470 Application Number: 144940000  
SPIN: 143001406  
Service Provider Name: NTELOS Telephone Inc.  
Contract Number: N/A  
Billing Account Number: 540-245-5169  
Service Start Date: 07/01/2005  
Contract Expiration Date: 06/03/2006  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$116,754.96  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$116,754.96  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.

FCDL Date: 07/07/2005  
Wave Number: 002

Funding Request Number: 1329308  
Funding Status: Not Funded  
Category of Service: Internet Access  
Form 470 Application Number: 144940000  
SPIN: 143001422  
Service Provider Name: Verizon Virginia Inc.  
Contract Number: N/A  
Billing Account Number: 540-245-5169  
Service Start Date: 07/01/2005  
Contract Expiration Date: 06/30/2007  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-discount Amount for Eligible Recurring Charges: \$169,320.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-discount Amount: \$169,320.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.

FCDL Date: 07/07/2005  
Wave Number: 002

## Paul Missman

---

From: Paul Missman [pmissman@augusta.k12.va.us]  
Sent: Friday, September 23, 2005 3:12 PM  
To: 'JREILLY@sl.universalservice.org'  
Cc: Gary Bryant; Deborah Wheeler  
Subject: RE: AUGUSTA APP 468711 ESTABLISHING 470

Judi,

Gary Bryant had forwarded your query to me for response.

We had answered this question for Ed Hosler of your organization back in July. I'm pasting the appropriate portion of my emails with Ed directly below. This should answer your question as to the applicable Form 470 for the referenced Verizon contract.

Paul Missman  
Technology Center  
Augusta County Schools  
540-245-5158

-----Begin Insert-----

Ed,

The contract, for 5 years, was let in early 2003. Therefore, the effective Form 470 for the bid was 542580000435951.

Thanks for your patience. If there is anything else you need from us, please let us know.

Also, Deborah, who handles all these forms, wanted to know if we need to file another 470 next year, or is it only required in 2007-2008, when we put the contracts up for rebid?

Thanks,

Paul

-----Original Message-----

From: Hosler, Ed [mailto:EHOSLER@sl.universalservice.org]  
Sent: Monday, July 18, 2005 3:07 PM  
To: Paul Missman  
Cc: Gary Bryant; Deborah Wheeler  
Subject: RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065 - follow-up for 470#

Paul:

Thank you for your response. Please refer to my original e-mail and respond to the request pertaining to the proper establishing 470; I need to be sure the one that was referenced is accurate.

Thanks again,  
Ed Hosler  
SLD

-----Original Message-----

From: Paul Missman [mailto:pmissman@augusta.k12.va.us]  
Sent: Monday, July 18, 2005 9:57 AM





To: Hosler, Ed  
Cc: Gary Bryant; Deborah Wheeler  
Subject: RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065

Ed,

Attached is the contract for Ntelos. Both our Ntelos and Verizon contracts began in early 2003, so we wouldn't be looking to put them up for re-bid until 2008.

Paul

-----End Insert-----

Begin forwarded message:

> From: "Reilly, Judi" <JREILLY@sl.universalservice.org>  
> Date: September 22, 2005 10:18:05 AM EDT  
> To: <gbryant@augusta.k12.va.us>  
> Subject: AUGUSTA APP 468711 ESTABLISHING 470  
>  
>  
> Gary,  
>  
>  
>  
> As discussed on the phone, please provide me with the establishing  
> Form  
> 470 number for the Verizon contract dated 2/21/03. This date is  
> considered the Contract Award Date. A contract can not be signed  
> before what is called the Allowable Contract Date. Hence, the Form  
> 470 number you provide should indicate a ACD that is prior to 2/21/03.  
>  
>  
>  
> Thank you,  
>  
>  
>  
> Judi  
>  
>  
>  
>  
> Judi Reilly  
>  
> Associate Manager - Initial Reviewer  
>  
> Schools and Libraries  
>  
> (p) 973 884-8307  
>  
> (f) 973 599-6578  
>  
> jreilly@sl.universalservice.org  
>  
>  
>  
> This message (including any attachments) contains confidential  
> information intended for a specific individual and purpose, and is

> protected by law. If you are not the intended recipient, you should  
> delete this message. Any disclosure, copying, or distribution of this  
> message, or the taking of any action based on it, is strictly  
> prohibited.

>  
>  
>  
>  
>

## Paul Missman

---

**From:** Paul Missman [pmissman@augusta.k12.va.us]  
**Sent:** Tuesday, July 19, 2005 10:22 AM  
**To:** 'Hosler, Ed'  
**Cc:** 'Gary Bryant'; 'Deborah Wheeler'  
**Subject:** RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065 - follow-up for 470#

Ed,

The contract, for 5 years, was let in early 2003. Therefore, the effective Form 470 for the bid was 542580000435951.

Thanks for your patience. If there is anything else you need from us, please let us know.

Also, Deborah, who handles all these forms, wanted to know if we need to file another 470 next year, or is it only required in 2007-2008, when we put the contracts up for rebid?

Thanks,

Paul

-----Original Message-----

**From:** Hosler, Ed [mailto:EHOSLER@sl.universalservice.org]  
**Sent:** Monday, July 18, 2005 3:07 PM  
**To:** Paul Missman  
**Cc:** Gary Bryant; Deborah Wheeler  
**Subject:** RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065 - follow-up for 470#

Paul:

Thank you for your response. Please refer to my original e-mail and respond to the request pertaining to the proper establishing 470; I need to be sure the one that was referenced is accurate.

Thanks again,  
Ed Hosler  
SLD

-----Original Message-----

**From:** Paul Missman [mailto:pmissman@augusta.k12.va.us]  
**Sent:** Monday, July 18, 2005 9:57 AM  
**To:** Hosler, Ed  
**Cc:** Gary Bryant; Deborah Wheeler  
**Subject:** RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065

Ed,

Attached is the contract for Ntelos. Both our Ntelos and Verizon contracts began in early 2003, so we wouldn't be looking to put them up for re-bid until 2008.

Paul

-----Original Message-----

**From:** Hosler, Ed [mailto:EHOSLER@sl.universalservice.org]

Sent: Friday, July 15, 2005 1:39 PM  
To: Paul Missman  
Cc: Gary Bryant; Deborah Wheeler  
Subject: RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065

Paul:

Hello Paul, thanks for the response. I'll keep an eye out for the contract you are going to forward. With systems we are using now, we are trying to take advantage of stored documentation that we have already received. In this situation, I am specifically requesting this because although the services appeared to be the same compared to a contract we already had I needed to be sure because the FRNs had different contract dates listed.

Thanks,  
-Ed

-----Original Message-----

From: Paul Missman [mailto:pmissman@augusta.k12.va.us]  
Sent: Friday, July 15, 2005 1:15 PM  
To: Hosler, Ed  
Cc: Gary Bryant; Deborah Wheeler  
Subject: RE: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065

Ed,

The applicable contract was signed with Ntelos on 1/31/2003. It is a multi-year contract, as we have found that it is more cost effective to procure service under multi-year agreements. I'll send you a copy of the contract, once I have scanned it into electronic document form. This will save me having to find the originals for each request from SLD.

There seems to be some general misunderstanding on the part of SLD that our contracts are multi-year contracts, as we find ourselves having to send this same information repeatedly. Can your system provide a reference number for this proof, so that we do not have to continuously re-submit this information?

Thanks for any relief you can provide on this.

Paul Missman  
Network Engineer  
Augusta County Schools  
540-245-5158

Begin forwarded message:

> From: "Hosler, Ed" <EHOSLER@sl.universalservice.org>  
> Date: July 14, 2005 8:35:27 AM EDT  
> To: <gbryant@augusta.k12.va.us>  
> Subject: SLD E-rate request - 2004 Form 471# 411400, FRN 1192065  
>  
>  
> Mr. Bryant:  
>  
> Although your district has already been funded on its 2004 Form

> 471,  
> application# 411400, specifically FRN 192065, an issue has come to our  
> attention that must be addressed as part of a post-commitment review.  
> For the FRN noted above, please provide me with a full copy of the  
> contract. In addition, please verify if the referenced Form 470 is  
> the  
> establishing Form 470 for this service. If the referenced Form  
> 470# of  
> 174720000472159  
> <<http://204.76.11.167/Stars/exceptions/redirect.asp?appid=472159>> is  
> NOT the establishing Form 470 please provide the 15-digit Form 470  
> Number that did establish the bidding for this service. The  
> establishing Form 470 is the specific Form 470, which was posted for  
> that particular service for 28 days, and pursuant to which a contract  
> was signed or an agreement was entered into. The establishing Form 470  
> could have been posted by the State, if the requested services are  
> being  
> purchased off of a State Master Contract.  
>  
> You can e-mail your reply or else fax me at the number below. If you  
> have any questions about this request please do not hesitate to e-mail  
> me or call me at the number below. Thanks in advance for your timely  
> response.  
>  
> Thanks again,  
>  
> Ed Hosler  
>  
> Phone: 973-428-7351  
>  
> Fax: 973-599-6512  
>  
>  
>  
>



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2005-2006**

October 18, 2005

Gary R. Bryant  
Augusta County School District  
69 James Anderson Road  
Fishersville, VA 22939

Re: Applicant Name: AUGUSTA COUNTY SCHOOL DISTRICT  
Billed Entity Number: 126479  
Form 471 Application Number: 468711  
Funding Request Number(s): 1329089, 1329308  
Your Correspondence Dated: July 12, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1329089, 1329308  
Decision on Appeal: **Denied**  
Explanation:

- On appeal, you dispute the SLD's denial of these funding requests for posting violations. You state that the funding requests are covered under multi-year contracts. You further state that the SLD forms do not have a way to indicate multi-year agreements, so you constantly have to explain this to SLD, both at application time and for reimbursement. You have included the signature pages of both contracts in support of your appeal.
- Upon review of the appeal and its relevant documentation, it was determined that the documentation provided in support of your Form 471 application indicates that you signed contracts for new services prior to the Allowable Contract Date (12/14/2004) of the cited Form 470 144940000510591. You were contacted during application review and advised that the Contract Award Dates were prior

**EXHIBIT**

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to the Allowable Contract Date of the cited Form 470. You were also asked to provide copies of the full contracts, signed and dated by both parties, to verify the correct CAD, and also verify if the referenced Form 470 is the establishing Form 470 for the services to the entity on this Form 471. If the referenced Form 470 was not the establishing Form 470, you were asked to provide the 15-digit Form 470 Number that did establish the bidding for the funding requests. Your response included signature pages of the contracts and verified that the cited Form 470 was the establishing Form 470 used to post these services for competitive bid. You have not claimed that this Form 471 relates to a different Form 470 other than the Form 470 indicated above. Therefore, your application did not comply with the competitive bidding requirement that your Form 470 be posted on the website for 28 days prior to your signing a contract for services or entering into an agreement for new services.

- The Item 21 attachments you provided in support of your Form 471 application, or documentation provided during review of your application, show that you selected your vendor prior to the allowable contract date of the cited Form 470 144940000510591. Consequently, SLD denies your appeal because your application did not comply with the competitive bidding requirement that your Form 470 be posted on the web site for 28 days prior to signing a contract or entering into an agreement for new products and/or services.
- You selected your vendor for new services prior to the expiration of the 28-day posting period. FCC rules require that except under limited circumstances, all Forms 470 received be posted on the USAC web site for 28 days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting a Form 471. 47 C.F.R. §§ 54.504; 54.511(a) and (c). FCC rules further require that the Administrator send the applicant a confirmation when the Form 470 has been posted, and inform the applicant of the earliest date upon which they may sign a contract with the vendor it selects. 47 C.F.R. § 54.504(b)(4). These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price from vendors. See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Order on Reconsideration*, 12 FCC Rcd 10095, p. 10098; FCC 97-246 ¶ 9 (rel. Jul. 10, 1997). New services include tariff telecommunications services that are NOT subject to an existing, binding, written contract.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



Gary R. Bryant  
Augusta County School District  
69 James Anderson Road  
Fishersville, VA 22939

Billed Entity Number: 126479  
Form 471 Application Number: 468711  
Form 486 Application Number:

Graphics Off



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**Tips for Completing Your Form 470****Tip 1. File Form 470 Online****Tip 2. File Form 470 Any Time During the Program Year****Tip 3. Only File ONCE for Each New Contract, and File Annually for Tariffed and Month-to-Month Services****Tip 4. Review the Minimum Processing Standards for the Form 470****Tip 5. Remember the Technology Plan Requirement****Tip 6. When an Request for Proposal (RFP) is Available****Tip 7. Online Filers: How to Successfully Submit your Form 470 Online**

**Tip 1. File Your Form 470 Online** – Using the online Form 470 for filing your E-rate application saves time and minimizes data entry errors. The SLD system validates the answers you data enter for each item, which means your application is less likely to need extensive problem resolution clean up. Form 470 applications that are successfully filed online also post faster to the SLD web site. You may access the online Form 470 by clicking the "Apply Online" button on the [SLD web site](#).

**Tip 2. File Your Form 470 at Any Time During the Program Year** –You may file the Form 470 at any time during the program year. In other words, there is not a limited timeframe (or "Window Filing Period") for submitting your Form 470 to the SLD. This allows you greater flexibility in initiating procurement processes while still allowing you to comply with E-rate competitive bidding requirements.

For Year 4, your Form(s) 470 must be posted early enough to achieve the 28-day posting period before filing and signing the Form 471, Block 6, Certifications and Signature which must be postmarked no later than January 18, 2001 in order to be inside the Year 4 window.

**Tip 3. Only File Form 470 ONCE for Each New Contract, and File Form 470 Annually for Tariffed and Month-to-****QUICK LINK****Apply Online**

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**Month Services** – Multi-year contracts require only one Form 470 to be filed when procurement begins. Each Form 470 has a unique number, to which you will refer in your annual Form 471 applications. PLEASE NOTE that you must file a Form 470 each year for discounts on tariffed services, such as telecommunications services, and for discounts on services billed on a month-to-month basis, such as some internet services and cell phone service.

**Tip 4. Review the Minimum Processing Standards for the Form 470** – The Minimum Processing Standards (or MPS) are the procedures that the SLD uses to review your application when w it is first received. Your application must pass the Minimum Processing Standards in order for data entry of your application to begin. Be sure to review the Form 470 Minimum Processing Standards and Filing Requirement posted in the Reference Area of this web site.

**Tip 5. Technology Plan Requirement** – Don't forget that you must have an approved technology plan (or be seeking approval on a technology plan) when you file the Form 470. The only exception to this rule is if you are applying for discounts only on basic local and long distance telephone service and for no other services. In that limited case, you are not required to complete and obtain approval of a technology plan.

**Tip 6. When a Request for Proposal (RFP) is Available** – If you are applying for E-rate discounts and you have developed a Request for Proposals (RFP) specifying the services you are seeking, you do not need to detail these services on the Form 470. In Block 2, Items 8 or 9 or 10, simply check box A and include the URL (web site address) where your RFP is posted, OR check box B and indicate which person to contact to obtain the RFP.

**Tip 7. Online Filers: How to Successfully Submit your Form 470 Online** – Follow these simple steps to make sure your Form 470 is successfully submitted to the SLD:

1. After you have completed each block, print a copy of the screen for your records.
2. Provide the appropriate answers in Block 5, Items 19-29
3. Print a copy of this screen for your records.
4. Click the "Next" button to move on to the next page, which features special instructions.
5. On this special instructions page, read all the instructions and then click the "Next" button at the bottom of the screen. By clicking "Next" you are simultaneously releasing your completed application to the SLD for posting, AND viewing a complete version of Block 5 of your Form 470. This version represents the Block 5 information as it appears in the SLD database.

Clicking "Next" will prevent any further changes to the application. Please be sure that you are satisfied that all entries to the Form 470 are correct and you are fully authorized to release this form for posting before clicking "Next" on this page.

6. Print a copy of this Block 5 Certification and Signature page, ask the authorized person to sign Item 25 with an original ink signature, and submit it to the SLD either manually, by mail, express delivery or U.S. Postal Service Return Receipt Requested.

For regular mail, submit Form 470 to:

SLD – Form 470  
P.O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, submit Form 470 to:

SLD – Form 470  
C/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
(888) 203-8100

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Content Last Modified: May 2, 2003

Need help? You can contact us toll free at 1-888-203-8100.  
Our hours of operation are 8AM to 8PM, Eastern Time, Monday through Friday.  
Aware of fraud, waste, and abuse, report it to our [Whistleblower Hotline!](#)

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